CF151

Single Bench

IN THE HIGH COURT OF JUDICATURE AT, BILASPUR

CIVIL REV.NO.354/OF2003

(MEMO OF CIVIL REVISION UNDER SECTION 115 OF CPC)

PETITIONER:
NON-APPLICANTS

1. Pakla, aged about 75 years s/o Haree

2. Budhu, aged about 65 years s/o Haree

3. Mangaldas , aged about 50 years, s/o Heera

4. Karmu , aged about 45 years, s/o Heera

All residence of Village: Podi (Billiband), Tehsil:Kota, District. Bilaspur (C.G.)

-VERSUS-

RESPONDENTS:
APPLICANT

1. State of Chhattisgarh, through: Collector, District: Bilaspur (C.G.)

2. Hirondiya bai w/o Gendram, aged about not Know.

3. Maheshram s/o Siyaram, aged about 38 years
Both the residence of Village: Rigriga, Tehsil: Kota, Dist. Bilaspur (C.G.)

4. Sagarbai w/o Ganeshram, aged about 42 years,

5. Bhagwan Singh s/o Ganeshram, aged about 17 years,

6.Mahendra Singh s/o Ganeshram, aged about 9 years,

7. Ku. Kantibai d/o Ganeshram, aged about 16 years,

8. Ku. Santibai d/o Ganeshram, aged about 14 years,

9. Ku. Surteebai d/o Ganeshram, aged about 12 years,

P. R. No. 2021/03 Presented by Shri Sandeep Singh dated 22.12.03

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(2)

10.Ku.Sukvarabai d/o Ganeshram, aged about 10 years,

Respondent no. 5 to 10 through its guardian Mother Sagarbai (Res. No.4) all r/o Rigriga, Tehsil:Kota, District: Bilaspur (C.G.)

11. Kamlabai d/o Ganeshram, aged about 22 years,, r/o Village: Kotmi, Tehsil: Pendraroad, District: Bilaspur (C.G.)

12. Mus. Raniyabai w/o Mukund Singh, aged about 67 years,

13. Kalyan Singh s/o Mukund Singh, aged about 47 years,

14. Radho Singh s/o Siyaram aged about 37 years,

15. Bharat Singh s/o Siyaram, aged about 27 years,
Respondent no. 11 to 15 are r/o Village: Rigriga, Tehsil: Kota, District: Bilaspur (C.G.)

16. Govind bai w/o Faghun Singh, aged about 52 years, r/o Village: Sukhena, Tehsil: Kota, District: Bilaspur (C.G.)

17. Sumndiya bai w/o Jagmohan Singh, aged about 47 years, r/o Village: Mohlee, Tehsil: Kota, District: Bilaspur (C.G.)

18. Ahilya bai w/o Bharat Singh, aged about 29 years, r/o Village: Kshibhara, Tehsil: Kota, District: Bilaspur (C.G.)

MEMO OF CIVIL REVISION UNDER SECTION 115 OF CPC

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(24)

आदेश पत्रक

मामला क्रमांक C.R. 354/2003 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	12.03.2004 Shri Shailendra Soni, counsel for the petitioners. I have heard on admission and perused the impugned order. Perusal of Paragraph 13 of the impugned order reveals that defendant No.2 Ganesh Singh died on 15.09.1999 but the plaintiffs did not inform the Court about the death of Ganesh Singh and even the legal heirs of Ganesh Singh were not brought on record. On 01.05.2000 after the death of Ganesh Singh order for ex-parte proceeding was passed and ultimately the judgment and decree was passed against a dead person on 14.02.2001. Now the respondents/applicants No.3 to10 who are the legal heirs of the deceased Ganesh Singh have filed an application under Order 9 Rule 13 of the Code of Civil Procedure for setting aside the ex-parte decree and on that ground the learned Trial Court has set aside the judgement and decree. In view of the above facts, I do not find any illegality or impropriety committed by the trial Court in passing the impugned order. Therefore, I do not find any substance in this civil revision and accordingly, the same is dismissed. **Sd/-** **L.C.BHADOO** **Judge**	

Roshani Padma

[पीछे देखिये

YOGENDRA SINGH KANWAR
Digitally signed by YOGENDRA SINGH KANWAR
Date: 2025.04.26 13:12:06 +0530